THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No.8129 of 2006

Dated: 19.06.2007

Between:

Pokuri Venkata Hari Prasad, S/o.Late P.Ramulu,

..... PETITIONER

AND

1 The National Highways Authority of India,
rep by its General Manager-Cum-Project Director,
Project Implementation Unit, Nellore,
Nellore District and another.

.....RESPONDENTS

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O R D E R:

This writ petition is filed seeking a declaration that the alleged action of the respondents in trying to dispossess the petitioner from his land over an extent of Ac.0.15 cents in Survey No.102/1 & 115/1 of Singarayakonda Village and Mandal, Prakasam District without issuing any notice and without paying compensation to him, as arbitrary and illegal.

I have heard the learned counsel for the petitioner as well as the learned counsel appearing for the first respondent.

In the counter-affidavit filed on behalf of the first respondent it is stated that as per the revenue records the petitioner is not the owner of the said land and therefore, he is not entitled to any compensation. It is also stated that as a matter of fact, letters, dated 17.01.2006, 11.02.2006 and 16.03.2006 were addressed to the petitioner with a request to produce the relevant documents for confirmation of his title in respect of the land in question, however, there was no response from the petitioner.

The version of the respondents that in spite of issuance of notices the petitioner failed to respond has been disputed by the learned counsel for the petitioner, and it is stated that no such notices have ever been served on the petitioner.

However, the learned counsel for the petitioner across the Bar submitted that if a further opportunity is given, the petitioner is ready and willing to appear before the first respondent and produce all the necessary documents to substantiate his title.

Having regard to the facts and circumstances, the writ petition is

disposed of granting liberty to the petitioner to appear before the first respondent and produce all the relevant material, within a period of four weeks from the date of receipt of a copy of this order, in which event, the first respondent shall consider the same and pass appropriate orders in accordance with law. No costs.

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G.ROHINI, J

Date: 19.06.2007
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